

JOURNAL OF THE HOUSE.

Thursday, May 15, 2008.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer. God, Our Creator, we open our hearts and minds to You, Your ways, Your gifts and Your principles as we address and resolve current legislative and administrative issues. During the course of the day, inspire us, at least on occasion, to evaluate our personal goals, priorities and human and spiritual values. In these worldwide changing times, help us to cope correctly and thoughtfully with the demands which are made on us, our time and our legislative expertise. Inspire us to work together for the common good with a spirit of hope and enthusiasm as we face the challenges and opportunities of the day. May we be faithful at all times to our personal and religious beliefs.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance. At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

West End Place. Resolutions (filed by Mr. DiMasi of Boston) congratulating West End Place on the occasion of its tenth anniversary;

Ethan Andrew Beise. Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Ethan Andrew Beise on receiving the Eagle Award of the Boy Scouts of America;

Daniel Charles Dalton. Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Daniel Charles Dalton on receiving the Eagle Award of the Boy Scouts of America;

Matthew Christopher McCue. Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Matthew Christopher McCue on receiving the Eagle Award of the Boy Scouts of America;

James David Strickland. Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating James David Strickland on receiving the Eagle Award of the Boy Scouts of America;

Jay

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Jay Patrick Thornton on receiving the Eagle Award of the Boy Scouts of America; and Patrick Thornton.

Resolutions (filed by Mr. Verga of Gloucester and other members of the House) recognizing National Safe Boating Week; Safe Boating Week.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Linsky of Natick, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

A Bill further regulating the rights of adopted children (Senate, No. 1234, amended in line 5 by striking out the figures "2007" and inserting in place thereof the figures "2008" (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means. Adopted children, rights.

A communication from the Department of Public Health relative to a plan of correction submitted pursuant to an inspection of the Massachusetts Alcohol and Substance Abuse Center in the town of Bridgewater was spread upon the records of the House; and returned to the Senate. Alcohol and Substance Abuse Center.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Joseph M. McHugh for the annual issuance by the Governor of a proclamation setting apart February second as Ayn Rand Day. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence. Ayn Rand Day, designation.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a special fund in the town of Millis (House, No. 4544) be scheduled for consideration by the House. Millis, special fund.

Under suspension of Rule 7A, on motion of Mr. Linsky of Natick, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill validating the acts and proceedings to the 2007 spring annual town meeting and 2007 fall annual town meeting to the town of Natick (printed in House, No. 4623) be scheduled for consideration by the House. Natick, annual town meeting.

Under suspension of Rule 7A, on motion of Mr. Linsky of Natick, the bill was read a second time forthwith; and it was ordered to a third reading.

Bonding,
Capital
Expenditures and
State Assets,
study.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, Nos. 18, 20, 22, 23, 24, 29, 30, 33, 34, 36, 37, 42, 45, 48, 49, 50, 55, 60, 61, 62, 159, 734, 785, 3037, 3770, 3995, 4054, 4478 and 4506, an Order relative to authorizing the committee on Bonding, Capital Expenditures and State Assets to make an investigation and study of certain House documents concerning environmental facilities, development districts and state-owned land (House, No. 4746).

Education,
Chapter 70
study.

By Mrs. Haddad of Somerset, for the committee on Education, on House, Nos. 4, 5, 387, 433, 447, 458, 470, 524, 534, 537, 564, 1944, 2470 and 3847, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning Chapter 70 (House, No. 4747).

Education,
study.

By the same member for the same committee, on House, Nos. 395, 399, 527, 529, 571, 1173, 3848 and 4005, an Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning kindergarten, literacy, technology, school time and learning and miscellaneous education issues (House, No. 4748).

Health Care
Financing,
study.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on House, Nos. 441, 989, 995, 1137, 1139, the residue of 1144 (as relates to sections 2, 3, 4, 7, 10 and 11), 1147, 2057, 2058, 2106, 2188, 2246, 2256, 4393, 4557 and 4574, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning the financing of health care in the Commonwealth and other related matters (House, No. 4749).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

Health
equity
of care.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill to eliminate racial and ethnic health disparities in the Commonwealth (House, No. 2234) ought to pass [Estimated cost: More than \$100,000.00].

Museums,
repositories.

By Mr. Turkington of Falmouth, for the committee on Tourism, Arts and Cultural Development, on House order No. 4327, a Bill relative to museums and archives repositories (House, No. 3393).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

James
Coveney,
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on Judiciary, on a petition, a Bill establishing a sick leave bank for James Coveney,

an employee of the Trial Court (House, No. 4741, changed in line 2 by striking out the name "Sheila Mahan" and inserting place thereof the name "James Coveney"). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Marya
Panzica,
sick leave.

The engrossed Bill establishing a sick leave bank for Marya Panzica, an employee of the Department of Mental Retardation (see House, No. 4924), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Orders of the Day.

Third
reading
bill.

The Senate Bill further regulating the department of public works of the city of Somerville (Senate, No. 2169, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills

Third
reading
bills.

Relative to certain licenses for the sale of all alcoholic beverages to be drunk on the premises in the town of Hingham (House, No. 4501);

Authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4504);

Relative to certain property in the town of Chilmark (House, No. 4559); and

Establishing a sick leave bank for Deborah McNamara, an employee of the Department of Conversation and Recreation (House, No. 4615);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Recesses.

Recesses.

At fourteen minutes before twelve o'clock noon, on motion of Ms. Rogeness of Longmeadow (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at eight minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Ms. Rogeness, until the hour of two o'clock P.M.; and at eleven minutes after two o'clock the House was called to order with Mr. Donato in the Chair.

Tax

fairness.

Paper from the Senate.

The House Bill improving tax fairness and business competitiveness (House, No. 4672) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2685.

Committee of conference.

Under suspension of the rules, on motion of Mr. Binienda of Worcester, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Binienda, Scaccia of Boston and Jones of North Reading then were appointed as the committee on the part of the House. Sent to the Senate to be joined.

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Subsequently the bill came from the Senate with the endorsement that said branch had insisted on its amendment, concurred in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Creem, Chandler and Tisei had been joined as the committee on the part of the Senate.

Motion picture industry, tax credits.

Reports of a Committee.

Report of the committee on Revenue, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4444) of Ronald Mariano for legislation to grant certain income tax credits for the motion picture industry conducting business operations in the Commonwealth.

Under suspension of the Rules, on motion of Mr. Mariano of Quincy, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Bill enacted.

Engrossed Bill.

The engrossed Bill further regulating the department of public works of the city of Somerville (see Senate, No. 2169, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Next sitting.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At a quarter after two o'clock P.M., on motion of Ms. Rogeness of Longmeadow (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.